

**AN ORDINANCE RELATING TO SOLICITORS AND PERSONS ENGAGED IN
OTHER DOOR-TO-DOOR ACTIVITIES**

*BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE
VILLAGE OF CHATHAM, SANGAMON COUNTY, ILLINOIS, AS FOLLOWS:*

SECTION 1: Chapter 100 is hereby added to the Code of Ordinances of the
Village of Chatham, as follows:

CHAPTER 100

SOLICITATION AND OTHER AND DOOR-TO-DOOR ACTIVITIES

100.001 Definitions

As used in this Ordinance, the following words have the following meanings:

"Solicitation" is the entry on a private property without a prior appointment with the occupant thereof for the purpose of selling, leasing or obtaining orders for the sale or lease of, goods or services.

A "solicitor" is a person, firm or corporation engaged in solicitation, and includes peddlers, itinerant merchants, and transient vendors of merchandise, as those terms are used in Section 11-42-5 of the Illinois Municipal Code, who enter private property without a prior appointment.

"Exempt Activities" refers to the door-to-door seeking of donations to, or selling goods on behalf of, not-for-profit corporations and organizations; door-to-door dissemination of political, religious, charitable and other non-commercial information; and door-to-door sale or solicitation of newspaper, magazines, and books.

"Chief of Police" refers to the Chief of Police or other police officer designated by the Chief of Police to carry out the Chief's duties under this Ordinance.

100.002 Posting of Notice Regarding Solicitation

(a) Every person desiring to secure protection from uninvited solicitation as provided by this Ordinance shall comply with the directions in this section.

(b) Notice of refusal of invitation to solicitors, to any residence or place of business, may be given in the following manner:

(1) A weatherproof card, not less than three inches by four inches in size, shall be exhibited upon or near the main entrance door to the residence or business, and containing the following words:

"NO SOLICITORS"

(2) The letters shall be at least one-third inch in height. For the purpose of uniformity, the card shall be provided by the Chief of Police to persons requesting the card.

(c) Such card so exhibited shall constitute sufficient notice to any solicitor that the solicitor does not have an invitation to solicit at the premises.

100.003 Duty to Comply With Notices and Requests to Leave Premises

(a) Any solicitor, whether or not licensed, and other than those engaged in exempt activities, going onto the premises of any residence or business in the Village with a notice stating **"NO SOLICITORS"** shall immediately and peacefully depart from the premises.

(b) Any solicitor, whether or not licensed, and any person engaged in exempt activities, who has gained entrance into any residence or business, whether invited or not, shall immediately and peacefully depart from the premises when requested to do so by the occupant.

100.004 Solicitation License Required

It shall be unlawful for any person to engage or attempt to engage in solicitation, other than exempt activities, in the Village without having first obtained a license from the Chief of Police. On an application form provided by the Chief of Police, the solicitor shall provide his or her identification, including name, address, phone number, and driver's license number; the name of the solicitor's employer, the nature of the products or services involved in the solicitation, the name of the manufacturers of such products or of the organization which the solicitor is representing, and the proposed method of operation in the Village. No person shall make any false statement upon any application. The act of signing an application shall constitute consent to a criminal background check by the Chief of Police.

100.005 Registration Fee; Investigation

(a) Each applicant shall pay to the Chief of Police a nonrefundable fee in the amount of \$25.00 at the time of application. The Chief of Police shall turn the funds over to the Treasurer for deposit into the General Fund of the Village.

(b). Upon receipt of the funds and the completed application form, the Chief of Police shall commence an investigation, including a criminal background check, of the

applicant. The Chief of Police shall complete the investigation and grant or deny the application for license within three business days.

(c). A license applications shall be denied for the following reasons only:

1. The applicant has been convicted of a misdemeanor in the preceding five years or a felony in the preceding ten years;

2. The applicant or the business of which the applicant is an agent or representative has been found guilty of, or entered into a consent decree with respect to, any violation of the Consumer Fraud and Deceptive Trade Practices Act.

3. A false statement has been made on the application.

(d). If the license application is granted, the Chief of Police shall issue a solicitor's license which shall state the name and address of the licensee, the type of business engaged in by the licensee, and the expiration date of the license, which shall be six calendar months from the date of issuance.

100.006 Duty to Carry, Exhibit License

Each person shall, at all times while engaged in solicitation in the Village other than exempt activities, shall carry upon his or her person the solicitor's license issued pursuant to this Ordinance. The License shall be exhibited by the licensee upon the request of any police officer or any person solicited.

100.007 Revocation of License; Appeals

A license issued pursuant to this Ordinance shall be revoked by the by the Chief of Police because of any violation by the registrant of this Ordinance, or of any other

ordinance of the Village, or of any state or federal law. A person whose license application is denied, or whose license is revoked may, within 5 calendar days thereof, appeal the denial or revocation to the Village President, who shall within 10 days thereafter conduct an informal hearing regarding the denial or revocation and either affirm or reverse the action of the Chief of Police. A person whose license has been revoked, or whose application has been denied, may not apply for another license for a period of two years from the date of revocation or denial.

100.008 Enforcement

(a) Any person, firm or corporation who violates any provision of this Chapter shall be liable to a fine of not less than \$200.00 or more than \$750.00. Each provision violated, and each day a violation occurs, is a separate offense.

(b) Corporations and other entities shall be separately liable for violations of this Chapter by their employees and agents. Each violation by each employee and each agent shall be a separate offense for a corporation or other entity employing such employee or agent.

100.009 Hours of Solicitation and Exempt Activities

No person shall engage in solicitation or in exempt activities within the Village other than between the hours of 9:00 a.m. and 9:00 p.m. Monday through Saturday and 12:00 p.m. and 9:00 p.m. on Sundays.

100.010 Effective Date; Publication; Codification

This Ordinance shall be effective upon its passage, approval and publication as provided by law. The Clerk shall forthwith publish this Ordinance in pamphlet form and shall see to the inclusion of this Ordinance in the next update of the Village Code of Ordinances.

PASSED this 28 day of JUNE, 2011

Thomas S Gray
VILLAGE PRESIDENT

ATTEST:

[Signature]
Village Clerk

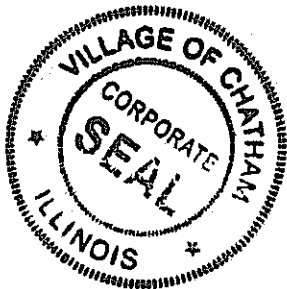
AYES: 6 HERR MAUL BOGLE HOLDEN KAUNAGH SCHATTEMAN

NAYS: 0

PASSED: 6-28-11

APPROVED: 6-28-11

ABSENT: 0



ORDINANCE CERTIFICATE

STATE OF ILLINOIS)
) SS.
COUNTY OF SANGAMON)

I, the undersigned, do hereby certify that I am the duly qualified and acting Village Clerk of the Village of Chatham, Sangamon County, Illinois.

I do further certify that the ordinance attached hereto is a full, true, and exact copy of Ordinance No. 01-37, adopted by the President and Board of Trustees of said Village on the 28 day of JUNE, 2011, said Ordinance being entitled:

**AN ORDINANCE RELATING TO SOLICITORS AND PERSONS ENGAGED IN
OTHER DOOR-TO-DOOR ACTIVITIES**

I do further certify that prior to the making of this certificate, the said Ordinance was spread at length upon the permanent records of said Village, where it now appears and remains.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said Village this 28 day of JUNE, 2011.


Village Clerk

